

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA	)	
	)	
v.	)	Court No.: 14-cr-10363-RGS
	)	
BARRY J. CADDEN, et al.	)	
	)	
Defendants.	)	
_____	)	

**JOINT MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Pursuant to the Court's Order on June 30, 2015, the United States of America and the defendants, Barry J. Cadden, Glenn A. Chin, Gene Svirskiy, Christopher M. Leary, Joseph M. Evanosky, Scott M. Connolly, Sharon P. Carter, Alla V. Stepanets, Gregory A. Conigliaro, Robert A. Ronzio, Kathy S. Chin, Michelle L. Thomas, Carla R. Conigliaro, and Douglas A. Conigliaro, hereby move this Court to exclude all time from November 5, 2015, through January 7, 2016, under the Speedy Trial Act.

The Court has previously ordered that the period from December 17, 2014 (the date of the defendants' initial appearances in the case), through November 5, 2015 (previously the last-scheduled Interim Status Conference in this case), be excluded from the Speedy Trial Act computation in the interests of justice, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(ii). In its Order dated March 10, 2015, this Court found that "this case is sufficiently unusual and complex, given the number of defendants and the volume of discovery, 'that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established' by the Speedy Trial Act." See Docket No. 183 (citing 18 U.S.C. § 3161(h)(7)(B)(ii)).

At the Status Conference on June 30, 2015, the Court scheduled additional Interim Status Conferences for December 3, 2015, and January 7, 2016, such continuance providing counsel for the defendants and the defendants with additional time to review and investigate the evidence and evaluate the need for, and prepare, any pretrial motions. The parties submit that the reasons supporting the Court's initial exclusion still persist, and therefore, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(ii), the interests of justice in this case, *i.e.*, review of the case, review of evidence, investigation, evaluation of discovery, considerations of alternatives concerning how to best proceed with this matter, and preparation of dispositive motions outweigh the best interests of the public and the defendants for a trial within 70 days of the return of the Indictment.

For these reasons, the parties request that the period from November 5, 2015, through January 7, 2016, be excluded from any Speedy Trial Act computation.

Respectfully submitted,

BARRY J. CADDEN

CARMEN M. ORTIZ  
United States Attorney

By his attorneys,

By:

/s/ Bruce A. Singal  
Bruce A. Singal  
BBO #464420  
Michelle R. Peirce  
BBO #557316  
Callan G. Stein  
Donoghue Barrett & Singal  
One Beacon Street, Suite 1320  
Boston, MA 02108  
(617) 720-5090  
bsingal@dbslawfirm.com  
mpeirce@dbslawfirm.com  
cstein@dbslawfirm.com

/s/ Amanda P.M. Strachan  
Amanda P.M. Strachan  
BBO #641108  
George P. Varghese  
Assistant United States Attorneys  
One Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100  
amanda.strachan@usdoj.gov  
george.varghese@usdoj.gov

GLENN A. CHIN

By his attorney,

/s/ Stephen J. Weymouth  
Stephen J. Weymouth  
BBO #523680  
Weymouth Law  
65a Atlantic Avenue  
Boston, MA 02110  
(617) 573-9598  
sweymouth@sweymouthlaw.com

CHRISTOPHER M. LEARY

By his attorney,

/s/ Paul V. Kelly  
Paul V. Kelly  
BBO #267010  
Jackson Lewis PC  
75 Park Plaza, 4<sup>th</sup> Floor  
Boston, MA 02116  
(617) 367-0025  
paul.kelly@jacksonlewis.com

SCOTT M. CONNOLLY

By his attorney,

/s/ Raymond Sayeg, Jr.  
Raymond Sayeg, Jr.  
BBO #555437  
Krattenmaker O'Connor & Ingber  
One McKinley Square  
Boston, MA 02109  
(617) 523-1010  
rsayeg@koilaw.com

GENE SVIRSKIY

By his attorney,

/s/ Jeremy M. Sternberg  
Jeremy M. Sternberg  
BBO #556566  
Christopher M. Iaquinto  
BBO #685718  
Holland & Knight  
10 Saint James Avenue, 11<sup>th</sup> Floor  
Boston, MA 02116  
(617) 854-1476  
jeremy.sternberg@hklaw.com  
christopher.iaquinto@hklaw.com

JOSEPH M. EVANOSKY

By his attorneys,

/s/ Mark W. Pearlstein  
Mark W. Pearlstein  
BBO # 542064  
Dana M. McSherry  
BBO # 664430  
McDermott Will & Emery  
28 State Street  
Boston, MA 02109  
(617) 535-4000  
mpearlstein@mwe.com  
dmcsherry@mwe.com

SHARON P. CARTER

By her attorney,

/s/ Michael J. Pineault  
Michael J. Pineault  
BBO #555314  
Clements & Pineault LLP  
24 Federal Street  
Boston, MA 02110  
(857) 445-0135  
mpineault@clementspineault.com

ALLA V. STEPANETS

By her attorney,

/s/ John H. Cunha, Jr.  
John H. Cunha, Jr.  
BBO #108580  
Cunha & Holcomb, P.C.  
1 State Street, Suite 500  
Boston, MA 02109  
(617) 523-4300  
cunha@cunhaholcomb.com

ROBERT A. RONZIO

By his attorney,

/s/ Peter C. Horstmann  
Peter C. Horstmann  
BBO #556377  
Partridge, Ankner & Horstmann, LLP  
450 Lexington Street, Suite 101  
Newton, MA 02466  
(617) 723-1980  
pete@horstmannlaw.com

MICHELLE L. THOMAS

By her attorney,

/s/ Michael C. Bourbeau  
Michael C. Bourbeau  
BBO #545908  
Bourbeau & Bonilla LLP  
236 Commercial Street, Unit 1  
Boston, MA 02110  
mike@lawgenie.com

GREGORY A. CONIGLIARO

By his attorneys,

/s/ Daniel M. Rabinovitz  
Daniel M. Rabinovitz  
BBO #558419  
John K. Wells  
BBO #747818  
Greenberg Traurig LLP  
One International Place  
Boston, MA 02110  
(617) 310-6008  
rabinovitzd@gtlaw.com  
wellsj@gtlaw.com

KATHY S. CHIN

By her attorney,

/s/ Joan M. Griffin  
Joan M. Griffin  
BBO #549522  
P.O. Boston 133  
Dublin, NH 03444  
(617) 283-0954  
griffin@lawjmg.com

CARLA R. CONIGLIARO

By her attorneys,

/s/ David E. Meier  
David E. Meier  
BBO #341710  
Melinda L. Thompson  
BBO #651265  
Todd & Weld LLP  
One Federal Street  
Boston, MA 02110  
dmeier@toddweld.com  
mthompson@toddweld.com

DOUGLAS A. CONIGLIARO

By his attorneys,

/s/ David E. Meier

David E. Meier

BBO #341710

Melinda L. Thompson

BBO #651265

Todd & Weld LLP

One Federal Street

Boston, MA 02110

dmeier@toddweld.com

mthompson@toddweld.com

Dated: July 2, 2015

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to counsel for the defendants, who are registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Amanda P.M. Strachan

Amanda P.M. Strachan

Assistant U.S. Attorney

Dated: July 2, 2015